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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. **2013-80**

12 **TAMMY ARLENE CROWL AKA**
13 **TAMMY CROWL**

A C C U S A T I O N

14 1824 Merganser Run Drive
Columbus, OH 43215

15 11576 Highway 316 S
16 Marvell, AR 72366-9032

17 Registered Nurse License No. 572667

18 Respondent.

19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 2. On or about October 4, 2000, the Board of Registered Nursing issued Registered
25 Nurse License Number 572667 to Tammy Arlene Crowl aka Tammy Crowl ("Respondent"). The
26 Registered Nurse License expired on March 31, 2002, and has not been renewed.

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1 8. Section 2761 of the Code states, in pertinent part:

2 "The board may take disciplinary action against a certified or licensed
3 nurse or deny an application for a certificate or license for any of the following:

4 (a) Unprofessional conduct, which includes, but is not limited to, the
5 following:

6 ...

7 (4) Denial of licensure, revocation, suspension, restriction, or any other
8 disciplinary action against a health care professional license or certificate by another
9 state or territory of the United States, by any other government agency, or by another
10 California health care professional licensing board. A certified copy of the decision
11 or judgment shall be conclusive evidence of that action."

12 9. Section 2762 of the Code states:

13 "In addition to other acts constituting unprofessional conduct within the
14 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a
15 person licensed under this chapter to do any of the following:

16 (a) Obtain or possess in violation of law, or prescribe, or except as
17 directed by a licensed physician and surgeon, dentist, or podiatrist administer to
18 himself or herself, or furnish or administer to another, any controlled substance as
19 defined in Division 10 (commencing with Section 11000) of the Health and Safety
20 Code or any dangerous drug or dangerous device as defined in Section 4022.

21 (b) Use any controlled substance as defined in Division 10 (commencing
22 with Section 11000) of the Health and Safety Code, or any dangerous drug or
23 dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or
24 in a manner dangerous or injurious to himself or herself, any other person, or the
25 public or to the extent that such use impairs his or her ability to conduct with safety to
26 the public the practice authorized by his or her license.

27 (c) Be convicted of a criminal offense involving the prescription,
28 consumption, or self-administration of any of the substances described in
subdivisions (a) and (b) of this section, or the possession of, or falsification of a
record pertaining to, the substances described in subdivision (a) of this section, in
which event the record of the conviction is conclusive evidence thereof.

(d) Be committed or confined by a court of competent jurisdiction for
intemperate use of or addiction to the use of any of the substances described in
subdivisions (a) and (b) of this section, in which event the court order of commitment
or confinement is prima facie evidence of such commitment or confinement.

"(e) Falsify, or make grossly incorrect, grossly inconsistent, or
unintelligible entries in any hospital, patient, or other record pertaining to the
substances described in subdivision (a) of this section."

DANGEROUS DRUGS/CONTROLLED SUBSTANCES

10. Dilaudid is a trade name for Hydromorphone, an Opium derivative, which is
classified as a Schedule II Controlled Substance pursuant to Health and Safety Code section

1 11055, subdivision (b), and is a dangerous drug within the meaning of Business and Professions
2 Code section 4022.

3 11. Percocet, oxycodone and acetaminophen, is a Schedule III controlled substance
4 pursuant to Health and Safety Code section 11056, subdivision (b) and is categorized as a
5 dangerous drug according to section 4022 of the Code.

6 12. Xanax, a brand name for alprazolam, is an anti-anxiety benzodiazepine and is a
7 Schedule IV controlled substance as designated by Health and Safety Code section 11057,
8 subdivision (d) and is categorized as a dangerous drug pursuant to section 4022 of the Code.

9 13. Cocaine is a narcotic drug according to Health and Safety Code section 11019(e),
10 is a Schedule I controlled substance, as designated in Health and Safety Code section 11054(f)(1),
11 and a Schedule II controlled substance, as designated in Health and Safety Code section 11055,
12 subdivision (b). It is also categorized as a dangerous drug according to section 4022 of the Code.

13 **COST RECOVERY**

14 14. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
15 administrative law judge to direct a licensee found to have committed a violation or violations of
16 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
17 enforcement of the case.

18 **FIRST CAUSE FOR DISCIPLINE**

19 **(Disciplinary Action by the Ohio Board of Nursing)**

20 15. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4) of
21 the Code in that Respondent's license to practice nursing in Ohio was disciplined by the Ohio
22 Board of Nursing ("Ohio Board"). The circumstances of the disciplinary action by the Ohio
23 Board are as follows:

24 16. On or about January 19, 2007, the Ohio Board and Respondent entered into a Consent
25 Agreement in which Respondent's license was reinstated and suspended indefinitely, the
26 suspension stayed and Respondent's license was placed on probation for a minimum period of
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1 three (3) years, with terms and conditions. The circumstances underlying the disciplinary action
2 are as follows:

- 3 a. Respondent's license to practice nursing as a registered nurse in the state of Ohio
4 lapsed in August 2003.
- 5 b. On or about May 21, 2004, the Ohio Board issued a Notice of Opportunity for
6 Hearing ("Notice").
- 7 c. In the Notice, the Ohio Board proposed discipline against Respondent's license
8 because on or about August 25 and 26, 2002, while employed as a registered nurse
9 at Riverside Methodist Hospital ("Riverside") in Columbus, Ohio, Respondent was
10 questioned regarding obtaining medications from PYXIS for a patient without a
11 physician's order.
- 12 d. At that time, Respondent admitted that approximately two (2) months prior, she self-
13 administered Percocet which she borrowed from a friend. She further admitted that
14 she obtained medications including Percocet, Dilaudid and Xanax from Riverside,
15 that she self-administered some of these medications and that she would share some
16 of these medications with others. Respondent also admitted that she normally
17 obtained medications by taking them from patients who did not request them.
18 Additionally, Respondent admitted that she used Cocaine once a month or less and
19 on August 26, 2002, she submitted to a drug screen which was positive for Cocaine.
- 20 e. On or about January 20, 2006, Respondent and the Ohio Board entered into a Consent
21 Agreement in which Respondent knowingly and voluntarily admitted to the factual
22 and legal allegations set forth in the Notice. Pursuant to this Consent Agreement,
23 Respondent's license was indefinitely suspended.
- 24 f. Under the terms of the January 2006 Consent Agreement, Respondent was eligible to
25 request reinstatement of her license anytime after August 2006, if all of the terms,
26 conditions and limitations of the Consent Agreement were met.
- 27 g. Respondent submitted a written request to the Ohio Board to reinstate her license.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 17. Respondent is subject to disciplinary action under section 2761, subdivision (a) of the
4 Code on the grounds of unprofessional conduct in that Respondent diverted drugs from Riverside,
5 her place of employment and admitted to using Cocaine. The conduct is described in more
6 particularity in paragraph 15 and paragraph 16, subdivisions (a) through (g), above, inclusive and
7 herein incorporated by reference.

8 18. Respondent is subject to disciplinary action under section 2761, subdivision (a) of the
9 Code on the grounds of unprofessional conduct in that on or about July 9, 2004, San Diego Police
10 Officers were flagged down to investigate allegations of a woman possibly under the influence of a
11 controlled substance. Respondent told the responding officer "[t]hose guys took my vicodin and I
12 have a prescription for it." While the responding officer spoke with the complaining witnesses,
13 Respondent approached the officer, made comments regarding police officers carrying fake
14 knives and attempted to grab the officer's gun.

15 **THIRD CAUSE FOR DISCIPLINE**

16 **(Drug Related Transgressions)**

17 19. Respondent is subject to disciplinary action under section 2762, subdivision (a) of the
18 Code in that Respondent obtained and possessed Percocet, Dilaudid and Xanax, in violation of
19 the law. The conduct is described in more particularity in paragraph 15 and paragraph 16,
20 subdivisions (a) through (g), above, inclusive and herein incorporated by reference.

21 20. Respondent is subject to disciplinary action under section 2762, subdivision (b) of the
22 Code in that Respondent used Percocet, Dilaudid, Xanax and Cocaine in violation of the law.
23 The conduct is described in more particularity in paragraph 15 and paragraph 16, subdivisions (a)
24 through (g), above, inclusive and herein incorporated by reference.

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1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Board of Registered Nursing issue a decision:


4 1. Revoking or suspending Registered Nurse License Number 572667, issued to Tammy
5 Arlene Crowl aka Tammy Crowl;

6 2. Ordering Tammy Arlene Crowl aka Tammy Crowl to pay the Board of Registered
7 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to
8 Business and Professions Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.

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12 DATED: 7/24/2012

13 for


14 LOUISE R. BAILEY, M.ED., RN
15 Interim Executive Officer
16 Board of Registered Nursing
17 Department of Consumer Affairs
18 State of California
19 Complainant

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